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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,781	01/15/2004	Christopher G. Malone	200313548-1	8154

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FORT COLLINS, CO 80527-2400

EXAMINER

LEE, DOUGLAS S

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/759,781

Applicant(s)

MALONE ET AL.

Examiner

Douglas S. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Dobbs et al. (US Pat. # 6,891,347).

Regarding claim 1, Dobbs et al. disclose a method and system for controlling the power supply fan in a computer system comprising: receiving indication electronic components are operating and dissipating heat (see fig. 2, col. 4, line 40-col.6, line 25); directing a cooling system to provide air flow to said electronic components (see figs. 1A and 1B, cols 3-4); and modulating speed of a fan in said cooling system in accordance with a fan speed efficiency control plan (see figs 2-3, cols. 4-7).

Regarding claim 2, Dobbs et al. disclose computer fan speed efficiency control plan sets guidelines for modulating a fan speed to value that maximizes an efficiency ratio (see cols. 6-8).

Regarding claims 3-4, Dobbs et al. disclose the computer fan efficiency feedback method of claim 2 wherein said efficiency ratio is a ratio of flow work of said fan to input power supplied to said fan (see cols. 6-8).

Regarding claim 5, Dobbs et al. further disclose overriding said modulating by a temperature reading and setting said fan to a maximized cooling level (see figs. 4 and 5, col. 7).

Regarding claim 6, Dobbs et al. further disclose monitoring ambient temperature around said electronic components (see figs. 4 and 5, col. 7).

Regarding claim 7, Dobbs et al. further disclose measuring the temperature of said electronic equipment with a thermal couple device (see figs. 4 and 5, col. 7).

Regarding claim 8, Dobbs et al. disclose a computer fan efficiency feedback system comprising: a bus for communicating information; a processor coupled to said bus, said processor for processing said information; a memory coupled to said bus, said memory for storing said information; and a fan cooling system coupled to said bus, said fan cooling system for cooling said temperature of said bus, processor and memory in accordance with an optimized balance of cooling and power consumption (see fig. 2, cols. 4-6).

Regarding claims 9-14 are rejected for the same reasons applied above rejected claims 1-7.

Regarding claims 15-16, Dobbs et al. disclose a fan speed efficiency control plan method comprising: determining flow resistance characteristics of a computer system; examining the performance of a fan in the absence of flow resistance; analyzing efficiency of said fan; and selecting an operation point for said fan at which fan efficiency is optimized and fan speed is minimized (see col. 1, lines 20-30 and cols. 3-4).

Regarding claims 17-20 are rejected for the same reasons applied above rejected claims 1-7.

### **Conclusion**

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Douglas Lee, whose telephone number is (571) 272-3745. The examiner can normally be reached on Monday-Friday from 8:00AM- 4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on (571) 272-3749 or via e-mail addressed to [leo.picard@uspto.gov](mailto:leo.picard@uspto.gov). The fax number for this Group is (571) 273-8300. Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [\[doug.lee@uspto.gov\]](mailto:doug.lee@uspto.gov).


All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that

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sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

**Douglas Lee**

  
7/22/2005

  
**ALBERT W. PALADINI**  
**PRIMARY EXAMINER**